THE PRINCIPAL

ACTS

OF THE

General Assembly,

OF THE

CHURCH

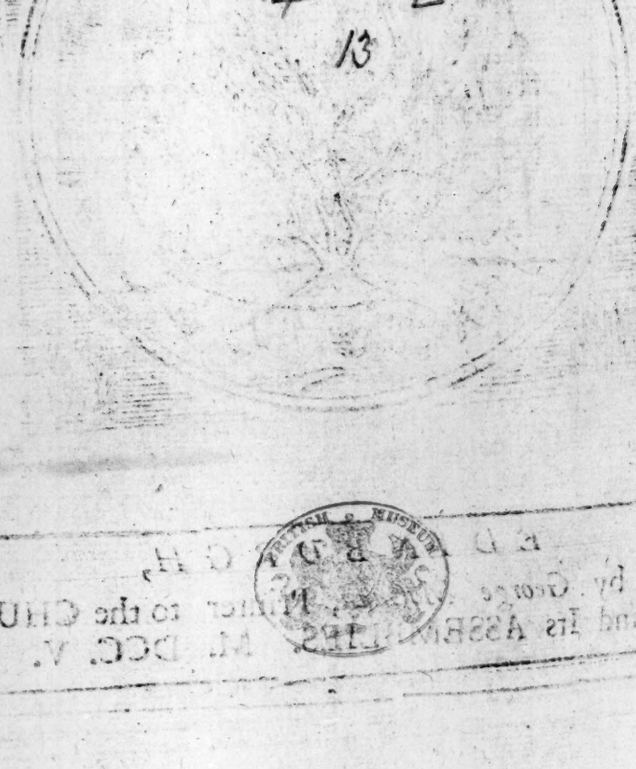
OF

SCOTLAND;

Conveened at *Edinburgh*, the 29 *March* 1705.

Collected and Extracted from the Records, by the Clerk thereof.

EDINBURGH,
Printed by *George Mosman*, Printer to the CHURCH and Its ASSEMBLIES. M. DCC. V.



BRITISH MUSEUM

THE PRINCIPAL ACTS OF THE General Assembly, OF THE CHURCH OF SCOTLAND;

Holden and begun at *Edinburgh*, upon Thursday the 29*th* Day of *March* 1705 Years, And ending the 12*th* Day of *April* that same Year.

I.

The Queens Commission to William *Marques of* Annandale, *produced and ordered to be Recorded.*

At *Edinburgh*, the 29*th* Day of *March*, 1705 Sess. 1.

THE General Assembly of the Ministers and Ruling Elders of this National Church, being Conveened and Constitute, there was produced to them by the Right Honourable *William* Marques of *Annandale*, principal Secretary of State, Her Majesties Commission under the Great Seal of this Kingdom, appointing him Her Majesties High Commissioner, and Representative in this National-Assembly, which Commission being publickly Read with all due Honour and Respect; The General Assembly Ordained the same to be Recorded in their Registers. The Tenor whereof follows.

" ANNA Dei Gratia, Magnæ *Britanniæ*, *Franciæ*, & *Hi-*
" *berniæ* Regina, Fideique Defensor, *Omnibus* Probis
" Hominibus, ad quos præsentes *L*iteræ Nostræ pervenerint,
" Salutem, *Quandoquidem* ex Decreto Nostro Generalis Ec-
" clesiæ Conventus Antiqui Regni nostri *Scotiæ*, in vigesi-
" mum nonum diem Mensis *Martii* instantis convenire ordi-
" natur: Nosque autem abunde cupidæ, quin etiam ne-
" cessarium esse Judicantes in Commodum dictæ Ecclesiæ ut
" idem Generalis Conventus die statuto debite observetur;
" Sed *R*ebus magni momenti nos alio vocantibus, dicto Conven-
" tui interesse nequimus; Et multis Testimoniis nobis abun-
" de satisfactum est de Sufficientia, & Fidelitate Fideliſſimi &
" Dilectissimi nostri Consanguinei & Conciliarii *Gulielmi* Mar-
" chionis de *Annandale*, Quod ad munera summi Officii infra
" specificati, rite exercenda & obeunda usquequaque sit in-
" structus & idoneus. Noveritis igitur, nos Nominasse &
" Constituisse sicuti, nos tenore præsentium, Nominamus &
" Constituimus eundem *Gulielmum* Marchionem de *Annan-*
" *dale*, supremum nostrum *Commissionarium* quoad effectum
" infra expressum, *Damus* pariter & Concedimus illi ple-
" nissimam nostram potestatem, Commissionem & Warran-
" tum, sacram nostram *P*ersonam & Authoritatem nostram
" *R*egalem *R*epresentandi, *P*ræsentiam nostram Supplendi,
" locumque nostrum in dicto subsequenti Generali Conventu,
" tanquam Commissionario nostro in hunc Effectum specialiter
" constituto, Tenendi; Omniaque alia ad Imperium & Munus
" Commissionarii pro generali Ecclesiæ Conventu peragen-
" di, tam plene adeoque libere in quovis respectu, quam
" quilibet alius ejusdem supremi Muneris fecerat, seu quo-
" vis tempore retroacto facere poterat, Atque sicuti Nos Ipsæ
" personaliter præsentes facere poterimus, *Quæ quidem* omnia
" a & singula a dicto *Gulielmo* Marchione de *Annandale* in
" hac nostra Commissione prosequenda, legitime facienda
" nos firmiter Approbamus, Rata habemus & habi-
" turæ sumus; *Omnibus* & singulis insuper antedicti Con-
" ventus & Ecclesiæ *P*astoribus & *P*resbyteris, cæteriſque,
" quibuscunque hujus Regni nostri Subditis, cujuscunque
" Qualitatis & Conditionis, ut dictum *Gulielmum* Marchi-
" onem de *Annandale*, tanquam supremum nostrum Com-
" missionarium quoad effectum & modum supra mentiona-
" tum agnoscant, *R*evereantur & dicto ipsius audientes se
" prebeant, stricte Mandamus & Imperamus, *Ac denique*
" hanc nostram Commissionem a dicto vigesimo nono die
" dicti Mensis *Martii* instantis, & sic deinceps durante se-
" quenti Sessione prædicti Generalis Ecclesiæ Conventus in
" vigore continuare declaramus, saltem donec a nobis revo-
" cabitur & exonerabitur. *In cujus rei Testimonium* Præsen-
" tibus

"tibus magnum sigillum nostrum appendi mandavimus, "Apud Aulam nostram de St. *James's*, Nono die Mensis "*Martii*, Anno Domini, Millesimo Septingentesimo *Quin*- "to, & Anno Regni nostri, *Quarto*.

Per Signaturum, Manu S. D. N. *Reginæ supra scriptam.*

Locus Magni Sigilli Appensi

IN DORSO.

Written to the Great Seal, and Registrate the 26th day of March 1705 *Years*, Charles Ker.

Sealed at Edinburgh, *the* 27 *day of* March 1705 *Years*, Alex. Ogilbie.

II.

Her Majesties Gracious Letter TO THE *GENERAL ASSEMBLY.*

Eadem Sessione.

HER Majesties High Commissioner, presented the Queens most Gracious *L*etter, directed to this General Assembly, which was publickly Read, with all due Honour and Respect, and is appointed to be *R*ecorded in the Registers of this Assembly. The Tenor whereof follows.

ANNE R.

RIGHT Reverend and Well-beloved, we greet you well; We are very well Satisfied with the Accounts we have had, of the *D*utiful and Moderate *P*roceedings of former Aſſemblies, and therefore we do moſt willingly countenance your Meeting at this time. We doubt not but you will improve this Opportunity, for *P*romoting of *P*iety and and Religion, Diſcouraging Vice and Immorality, and *P*reſerving good Order in the Church, in all which you ſhall have our hearty Concurrence.

We do earneſtly Recommend to your Care the *P*lanting of the Vacant Churches, with *P*ious and *L*earned Miniſters, eſpecially in the *Highlands* and *Iſlands*, And it will be worthy of your ſerious Conſideration, to make a right *D*iſtribution of thoſe *L*ibraries, which have been ſo piouſly *M*ortified for the Churches in thoſe parts; we have ordered the Charges of Tranſporting them to be payed out of our Theſaury, and nothing ſhall be wanting on our part for encouraging ſo pious a *D*eſign. We have appointed our *R*ight Truſty and entirely Beloved Couſin and Counſellour, *William* Marques of *Annandale*, to Repreſent Our Royal Perſon in this Aſſembly; whoſe Abilities and Fitneſs to *D*iſcharge this Truſt, will (we doubt not) render him acceptable to you; Him we have fully inſtructed in what may be further neceſſary; And therefore you may give him Entire Truſt and Credit. We doubt not but you will *P*roceed with your uſual *M*oderation and Unanimity, and aſſuring you of Our Firm Reſolutions, to maintain the Eſtabliſhed Government of the Church; we bid you heartily farewel.

Given at our Court at St. James's *the Ninth Day of* March 1705, *And of our Reign the Fourth Year.*

By Her Majeſties Command

SEAFIELD.

Directed.

To the Right Reverend, The Moderator, Miniſters, *and* Elders *of the* General Aſſembly *of the Church of* Scotland.

III. *The*

III.

The General Assembly's *Answer.*

TO

The Queens Gracious Letter

Edinburgh, the 31 *Day of March* 1705. Sess. 3.

May it please your Majesty,

WE have received with all Thankful Acknowledgments, the Expressions Your Majesty is pleased to make in your Gracious Letter, of Your Satisfaction with the Proceedings of our former Assemblies, and the Assurance you give us of your Royal Favour and Countenance in our present Meeting, which do not only oblige us, but we trust through the Blessing of GOD, shall enable us to improve this Opportunity, for the great and good Ends proposed.

Your Majesties Zealous Concern for the promoting of Piety, and the Preserving and Securing of the true Protestant Religion every where, and even to all after Ages, with your Royal Care to Discourage Vice and Immorality, will be the perpetual Glory of your Reign and Memory; So that we cannot, but in our Station, and by the Means proper for us, with all Sincerity, and in Obedience to Our Great Lord and Master, endeavour to follow so great an Example, and for that End to preserve in this Church the good Order, to which Your Majesty is pleased to promise us your hearty Concurrence.

We shall observe your Majesties Recommendation for planting of vacant Churches, specially in the *Highlands* and *Islands* with Learned and Pious Ministers; not doubting but that your Majesty will continue the Encouragement that hitherto you have given us in that Work, by contributing to the building and reparation of Churches, and telling legal Provisions where the same are found wanting, nor shall we be less careful of the right Distribution of these Libraries, which have been so piously mortified

tified, for the uſe of this Church, and which Your Majeſty ſo graciouſly promiſes to aſſiſt.

The Choice your Majeſty hath been pleaſed to make, of the Marqueſs of *Annandale* to Repreſent Your Royal Perſon in this Aſſembly, after the Experience we have had both of his Sufficiency and Fidelity to Your Majeſty, and his good Affection toward this Church, is not only to us moſt Acceptable, but a very particular and obliging Proof of Your Majeſties Regard to all our Concerns, which do moſt eſpecially oblige us to give him that Truſt and Credit which Your Majeſty requires.

Your Majeſty having been pleaſed to give us all Aſſurances of Your firm Reſolution to maintain the Eſtabliſhed Government of this Church: We ſhall ever ſtudy to teſtify our grateful Senſe of the ſame, and ſhall obſerve that Moderation and Unanimity Your Majeſty expects.

That God may long preſerve Your Majeſty for the Good of all your People, the mantaining of the true Proteſtant Religion, and the Protection and Comfort of all the Churches of Chriſt, and that He may ſtill proſper your Arms againſt all your Enemies, ſpecially that Grand Enemy both of Religion and Righteouſneſs, who ſupports an Uſurper againſt Your Majeſty, and would impoſe upon us a Popiſh Succeſſour, to the Subverſion of our Holy Religion, and the Ruine of this your Ancient Kingdom, and that a Proteſtant may always ſit on the Throne, which (we Bleſs God) Your Majeſty expreſſes ſo much Concern for, ſhall be the earneſt and conſtant Prayer of

May it pleaſe your Majeſty,

Your Majeſties moſt Faithful, moſt Obedient and moſt Humble Subjects,

The Miniſters and Elders, met in this National Aſſembly of the Church of Scotland.

Signed in Our Preſence, in Our Name, and at Appointment, By

W: Carſtares Moderator.

IV. All

I V.

Act concerning the Method and Form of Procedure of Judicatories of the Church against Scandalous Persons.

Edinburgh the 4th *Aprile* 1705. Post Meridiem Sess 6.

WITH respect to Scandals, the Grossness whereof makes it necessary, to bring the persons guilty oftner than once before the Congregation. The General Assembly does hereby Appoint and Ordain, that after such persons are convict before the Session, it be judicially declared to them, that they have rendered themselves uncapable of Communion with the people of God in Sealing Ordinances, and that they be appointed to apprear in publick to be rebuked for their Sin, whether they appear penitent or not, conform to the Institution 1 *Tim.* 5 20. And it is hereby referred to the respective Judicatories of the Church concerned, to determine how oft such Delinquents shall appear in publick, as they shall find it, to tend most for Edification. And the General Assembly Ordains, that after a publick Rebuke, the Ministers and Elders be at farther Pains in instructing the Minds of the Scandalous Persons, if ignorant, in endeavouring to convince their Consciences, and to bring them to a due sense of their Sin, and to an Engagement and serious Resolution against all known Sin, and to the Performance of all known Duty; and that the Session upon Satisfaction with their Knowledge, and Sense of their Sin, do admit them to the publick Profession of their Repentance, in order to Absolution; but if after taking pains on them for some competent time, for their Instruction and Conviction, they still remain grosly Ignorant, Insensible and Unreformed, the Ministers and Elders are to advise with the Presbytry of the Bounds, and if the Presbytry shall see cause; that then the Sentence of lesser Excommunication be publickly pronounced against them in Face of the Congregation, from which they are not to be relaxed, nor admitted to make publick Profession of their Repentance in order thereto, till the Session be satisfied with their Knowledge, Seriousness and Reformation. And Lastly the General Assembly Ordains that the Names of such as are under the forsaid Censure of Lesser Excommunication, be publickly read out, the Lords Day immediatly preceeding that upon which the Sacrament of the Lords Supper is to be Administrat.

Amen

V.

Act concerning Schools *and* Burſaries, *and for Inſtructing Youth in the Principles of* Religion.

Edinburgh 5 *of* April 1705. Poſt Meridiem, Seſſ. 7.

THE General Aſſembly conſidering, how much it will tend to the Increaſe of Chriſtian Knowledge and Learning, and the Advantage of true Piety and Religion, that Schools and Colledges be duely Regulat, and Burſaries rightly beſtowed: do therefore Appoint and Ordain, that Miniſters take care to have Schools erected in every Pariſh, conform to the Acts of Parliament, for Teaching of Youth to read Engliſh, That the poor be Taught upon Charity, and that none be ſuffered to neglect the Teaching of their Children to Read; And ſicklike, that in no Pariſh the Miniſter recommend Youth to be Taught *Latine* upon Charity in any Grammar School; but after examining the ſaid Child or Children, in preſence of three or four members of the Seſſion, as to their Promptitude and Dexterity in Reading, and competent Skill in Writing, as to their vertuous Inclinations; and as to the Hopefulneſs of their Proficiency, and that none be received in Grammar Schools to be taught Latine upon Charity, but upon ſuch Recommendations; And alſo that each Presbytry appoint a Committee of their Number yearly to Examine the poor Scholars in the Grammar Schools, and ſuch within their Bounds as go to Colledges, with an Eye to Burſaries, and ſuffer none to proceed, but ſuch as are very forward and good Proficients, and of good Behaviour, and that Miniſters recommend none to Burſaries, but ſuch as are ſo qualified; And the General Aſſembly does hereby recommend to Regents and Maſters of Colledges that no perſon, eſpecially Burſars be Laureat, but upon a clear Evidence of Sufficiency of their Learning, and good Behaviour after ſtrict Examination. And ſicklike recommends it to Maſters in Univerſities, and all other Inſtructers of Youth, that they be careful to Inſtruct their Scholars in the Principles of the Chriſtian Reformed Religion, according to the Holy Scriptures, our Confeſſion of Faith, or ſuch Books only as are entirely agreeable thereto. As alſo recommends it to Profeſſors of Theology, that they take very particular Notice of the Piety and Chriſtian Carriage of their Students, and that their Teſtimonials to Presbytries for Entering Men on Tryals for the Miniſtry, bear their Knowledge of the perſons recommended, as to their Moral and Pious Carriage, as to their Progreſs in their Studies, and their promiſing Parts, and of their good Affection to the Government

vernment of Church and State, and that the Professor does truely judge the person fit for the Service of the Church, and Presbytries are enjoyned, to receive none upon Testimonials from Professors, but who are so attested.

VI.

Act concerning the Regulation of the Commissions of the General Assemblies, and the Attendance of Members thereon.

Edinburgh, 5 *of* April 1705. Post Meridiem, Sess. 7.

THE General Assembly having heard and considered the Opinions of the several Presbytries, in relation to the regulating of the Commissions of the General Assemblies, returned to them, in Obedience to the *16th* Act of the last Assembly, did, in pursuance thereof, after full Reasoning and mature Deliberation agree as follows: *viz.* The General Assembly considering how much it concerns the Good of the Church, that any Commissions which may be found needful to be granted by this, and subsequent General Assemblies, be duely regulate; Do therefore Appoint and Ordain, that in time coming, the whole Presbytries of this National Church be equally represented in Commissions, and that their Representation be proportional to the Number of Ministers that are in each Presbytry, the Old Ministers who were Ordained before the Year 1662 being always Supernumeraty; And sicklike that two or three of the Members of the General Assembly in each Synod, be appointed as a Committee to name the Members of the Commission, and that the whole Representatives of Presbytries in the several Synods at the Assembly, do meet by themselves, and name their respective Members of the said Committee; and it is hereby declared, that it shall be free to any Member of the Assembly to attend the said Committee if they think fit. And the General Assembly does Appoint the Expences of the saids Commissioners to be born, and defrayed by the several Presbytries which they Represent, according to the Number of the Days of their Attendance, and that their Presbytries take care to supply their Charges with Preaching during their Absence upon the Account foresaid, and that such as shall be absent, from the saids Commissions, or Diets of the same, without a reasonable Excuse, represented to, and admitted by the Commission, be Censured by their respective Synods; and that the Clerk of the Commission send Lists of these Absents to the several Synods for that end, according to the *6th* Act of the General Assembly held in the Year 1703.

VII. *Sen-*

VII.

Sentence of Depoſition againſt Mr. John Hepburn

Edinburgh 9th *April* 1705. Ante merid. Seſſ. 10.

THE General Aſſembly took to their ſerious conſideration, the Lybel raiſed at the inſtance of *John Blair* Agent for the Kirk, againſt Mr. *John Hepburn* Miniſter of the Goſpel, before the Commiſſion of the late General Aſſembly, and by them referred to this Aſſembly; His Confeſſions of the chief Articles thereof, contained in his Anſwers Subſcribed with his hand, his Judicial Acknowledgements before the ſaid Commiſſion, all which were Read before this Aſſembly; As alſo his Judicial Acknowledgements before this Aſſembly: And in particular, finding, That he aſſerted that Communicating with Perſons Scandalons, made theſe that Communicat with them, guilty of Unworthy Communicating, That he neither has diſpenſed the Holy Sacrament of the Lords Supper to others, nor partaken thereof himſelf, for more than Sixteen Years, that both at *Galſton*, *Fenwick*, *Loudoun* and *Calder*, which are all planted Pariſhes, he has Preached without Warrand, or Invitation from the Miniſters thereof: And has Baptiſed Children in ſome of them without Teſtimonials from the Miniſter or Elders; And has alſo Married perſons in thoſe and other places without orderly Proclamation, That he did intrude into the Paroch of *Balmaghie*, after the late Miniſter thereof Mr. *John Mackmillan* was Depoſed, and accuſed the Presbytry who Depoſed him, of raſhneſs and precipitancy in their Sentence, and declared that he thought himſelf obliged to teſtify againſt it, both by Word and Deed: And that he alſo owned, that in that ſame place, he aſſerted, that the Church of *Scotland* had gone off the Foundation, And acknowledged alſo his Intruſion in *Kirkconnel*, and ſeveral other Vacant Paroches: And that he alſo owned, that as to the ſubſtance, he ſaid that the Miniſters clapt peoples Heads, and profaned the Sacrament, by giving it to Drunkards, Swearers, *&c.* and that if they got not another Religion, they and their Religion would go to the bottomleſs pit: He acknowledged that he called the Oath of Alleagance to the Queens Majeſty, as taken by Miniſters, a Black Oath, and that it was the higheſt Act of *Eraſtianiſm*, and beyond other Encroachments and Complyances, ſince the Revolution; He confeſt that he admitted a Man belonging to another planted Congregation, to a publick profeſſion of Repentance, and thereafter allowed him to hold up his Child in Baptiſm, and that without the Sentence

tence or Concurrence of any Session, or other Judicatory, all which are contrary to his Ordination Engagements, to an orderly walk: And the General Assembly also finding that the said Mr. *John* has been guilty of a continued Tract of such Erroneous, Seditious and divisive *Doctrines*, and *Schismatical* courses, and that he obstinately continues therein, refusing to be reclaimed, notwithstanding the long forbearance, the mild and gentile methods, and great pains that have been used by this Church in their former Assemblies and Commissions; In als much as he was in the Year One Thousand Six Hundred Ninty Four, Processed, And was by the General Assembly in the Year One Thousand Six Hundred Ninty Six, Found to deserve the highest Censures of the Church; And yet to manifest all tenderness to him, willingness to *Reclaim* him, that Assembly made very condescending Offers to him, which he having slighted, he was suspended, with certification, that if he contraveened that Sentence, he should be Deposed; Then the General Assembly in the Year One Thousand Six Hundred Ninty Nine, upon his Application, and his professing a regard to the Judicatories of this Church, his promising to confine his Ministry within the *Parish* of *Orr*, and to entertain a Correspondence with the Ministry of this Church, did take off that Sentence, and enjoined him to an orderly Walk, and to Subjection to the Judicatories of ths Church; and to correspond with the Presbytries of *Drumfrees* and *Kircudbright*, with certification that not only new *Disorders*, but even the grounds of former Processes should be led against him; All which Promises Mr. *John Hepburn* having broken, this Process was raised and pursued against him before the Commission of the late Assembly, who (after near a Twelve Moneths dependence, much forbearance and many condescending offers, made to him) found the Lybel both relevant and proven, but yet delayed Sentence and renewed their Enjunctions, to an orderly walk, to try yet again the said Mr. *John* his Obedience and Subjection to the Judicatories of this Church; at length finding all to have no effect or influence upon him, did refer the whole Affair to this Assembly; The General Assembly considering all these things, and finding that the said Mr. *John Hepburn* continues Obstinate, and Self-Willed, and being about to proceed to a final determination in this Affair, after serious and mature Deliberation, Parties were called in, to join in *Prayer* to GOD for Light and Direction, how to judge in this so important and weighty a matter, and Prayer being ended, and Parties removed the General Assembly did by their Vote, Depose the said Mr. *John Hepburn*: Likeas, they hereby do in the Name of the *LORD JESUS CHRIST* the alone *King* and *Head* of the *Church*, and by vertue of the Power and Authority committed by Him to

them, *Actually Depose* the said *Mr. John Hepburn* from the *Office* of the *Holy Ministry*, Prohibiting and Dischargeing him to Exercise the same, or any part thereof in all time coming, under the pain of the highest Censures of the Church; And appoints this Sentence to be publickly Intimate from the Pulpet of the New-Church of *Edinburgh*, the next Lord's Day after the Forenoons Sermon, by the *Minister* that *Preaches* there, and afterwards with all convenient Diligence in the Kirk of *Orr*, and in all the remanent Churches within the Bounds of the Synods of *Glasgow*, *Galloway* and *Drumfrees*: And Ordains the *Presbytry* of *Dumfrees* to declare the Kirk of *Orr* Vacant, so soon as they can; And appoints Extracts hereof to be sent to the several *Presbytries* of these bounds for that end: And recommends it to all the Brethren present in this Assembly, to intimate this Sentence of Deposition in their Respective Synods, and parties being called in, this was intimate to them.

VIII.

Act approving the Actings and Proceedings of the Commission of the General Assembly anno 1704.

Edinburgh 9th April 1705. Post Meridiem Sess. 11.

THE General Assembly having this Day had reproduced in their presence, the Register of the *Actings* and *Proceedings* of the Commission appointed by the last Assembly, and having heard the Report of the Committee of their own Number, (who were not Members of the said Commission;) but appointed to Revise, Examine and Consider the said Register, with their Observes thereupon and Answers made thereto by the Moderator and other Members of the said Commission: The members of the said Commission were removed, and Mr. *James Brown* one of the Ministers of *Glasgow* was chosen Moderator *pro tempore*, (the Moderator of this Assembly having been a member of the Commission,) the General Assembly having maturely considered the said Report and Answers made thereto by the members of the said Commission, do find that the whole Actings Proceedings and Conclusions of the said Commission contained in their Register, subscribed by Mr. *Thomas Wilkie* Moderator and Mr. *John Dundas* Clerk, do evidence much Wisdom, Prudence, Zeal and Diligence, and that the said Commission have proceeded orderly and formally in every thing according to their

their Commission and Instructions; and therefore this General Assembly by an unanimous Vote, did and hereby do Ratify and Approve the whole Actings, Proceedings and Conclusions of the said Commission, contained in their said Register, beginning the first *Day* of *April* in the Year 1704, and ending the seventh Day of *March* 1705 inclusive, and the members of the said Commission being called in, the same was Intimate to them, and the Moderator gave them the Thanks of this Assembly, for their good Service done to this Church, and then the *Moderator* and Clerk to this Assembly took their places.

IX.

Act against Prophanation of the Lords Day.

Edinburgh 10*th April* 1705, ante *Meridiem* Sess. 12.

THE General Assembly taking to their serious Consideration, the great *Prophanation* of the Lords Day, by multitudes of people Vaging idlely upon the Streets of the City of *Edinburgh*, *Peer* and *Shoar* of *Leith*, in St. *Anns* Yeards, and the Queens Park; and in diverse places of the *West-Kirk* Paroch, and on the Links of *Leith*, and other places, especially about *Edinburgh*, and that by persons of all *Ranks*, many whereof are Strangers, as the same hath been represented to them by the Commissioners from the *Presbytry* of *Edinburgh* in the Name and by the Appointment of that *Presbytry*, and considering also what hath hath been represented by several Brethren anent the Prophanation of the Lords Day in other places of the Nation by unnecessary Traveling and otherways: And the General Assembly being deeply sensible of the great Dishonour done to the Holy God, and of the open Contempt of God and *Man*, manifested by such Heaven-daring Prophanness, to the exposing of the Nation to the heavyest Judgements, Therefore they do in the Fear of God earnestly Exhort all their Reverend Brethren of the *Ministry*, and other Officers of the Church to contribute their utmost Endeavours in their Stations, for suppressing such gross Prophanation of the Lords Day, by a vigorous and impartial yet prudent Exercise of the Discipline of the Church, and by holding hand to the Execution of the laudable Laws of the Nation against the Guilty, in such Way and *Manner* as is allowed and required by Law; and because the Concurrence and Assistance of the Civil Government, will be absolutely necessary for the better Curbing and Restraining this crying Sin, The General Assembly

Aſſembly do hereby Appoint their Commiſſion to be Nominate by them, to Addreſs the Right Honourable the Lords of Her *Majeſties* Privy Council, that their Lordſhips may be pleaſed to give ſuch Orders, and take ſuch Courſes for reſtraining thoſe Abuſes, as they in their Wiſdoms ſhall judge moſt effectual.

X.

Recommendation concerning the Obſervation of the Directory for Worſhip.

Edinburgh 10 *April* 1705. Ante *Meridiem* Seſſ. 12.

THE General Aſſembly hereby ſeriouſly Recommends to all *Miniſters* and Others within this National Church, the due Obſervation of the Directory for the publick Worſhip of God, approven by the General Aſſembly, held in the Year 1645 Seſſ. 10.

XI.

Act anent Burſaries.

Edinburgh 10*th April* 1705. Ante *Meridiem* Seſſ. 12.

IT being deſired by ſeveral Brethren, that the 13*th* Act of the General Aſſembly *anno* 1704, Intituled *Act for beſtowing Burſaries upon Students having* Iriſh might be explained in theſe Heads. 1*mo*. Whether by that Act the one half of the Burſaries be *South Tay*, be diſpoſable by the reſpective Presbytries, or by the Synods only. 2*do*. If that Act reaches Burſaries preſently current, or only ſuch as were Vacant at the date of that Act. The General Aſſembly as to the *Firſt* do declare, that the *Diſpoſal* of all theſe Burſaries is only in the power of the Synods, and not of the *Presbytries*. And as to the *Second*, The General Aſſembly leaves it to the Diſcretion of the ſeveral Synods to order this matter as they find convenient, and for that end, recommends it to the ſaids Synods, to take an Account from their reſpective Presbytries, what Burſers they have in their Bounds, and at what time theſe Burſes will fall vacant, and that the Presbytries be joyned two and two, for making one Low-land Burſe of their two halves appointed by the forſaid Act for that end, and in caſe there be an odd Presbytry in a Synod, that that Synod diſpoſe of that odd Presbytries half, to ſuch pious Uſes, as the Synod ſhall think fit.

XII. *Act*

XII.

Act concerning the Libraries for the Highlands, *Islands* &c.

Edinburgh 10*th April* 1705. Ante Meridiem Sess. 12.

THE which day, in presence of the General Assembly, upon Report of the Committee appointed to manage the Affair of the *Highland* Libraries, the General Assembly does divide the saids whole Libraries both Presbyteral and Parochial, as follows *viz.* The Presbyteral Libraries, (whereof there are nineteen in all) thus; To the Presbytry of *Zetland* One, *Orknay* One, *Caithness* One, *Southerland* One, *Ross* Three, *Inverness* One, *Aberlour* One, *Abernethy* One, *Strathbogie* and *Fordyce* One, *Dunkeld* One, *Argyle* Five, *Dumbarton* One: And seing after this Distribution, there remains one Presbyterial Library, The General Assembly bestows the same on the Synod of *Argyle*; but with a special Respect to their remote and large Islands, such as *Lewis*, and this in place of the Distribution made by the Seventeenth Act of the General Assembly *anno* 1704. The Parochial Libraries being in number fifty eight; The Assembly distributes them to the Parishes in the Bounds of the Presbytries after mentioned as follows, *viz. Zetland* Two, *Orknay* Three, *Caithness* Two, *Southerland* Two, *Ross* Four, *Inverness* Three, *Aberlour* Two, *Abernethy* One, *Alfoord* One, *Kintardine* Two: In the bounds of the Synods of *Angus* and *Mearns* Three, in the Presbytry of *Dunkeld* Four, *Auchterarder* Two, *Dumblane* Two, *Dumbarton* Two, and for the bounds of the Synod of *Argyle* Twenty Three; And that these Parochial Libraries be fixed at such places, as the respective Synods and Presbytries shall find most convenient. And the General Assembly Nominats the Reverend Mr. *William Carstares* Moderator, Mr. *Thomas Wilkie* in *Cannogate*, Mr. *George Meldrum*, Mr. *James Ramsay*, Mr. *John Stirline*, Mr. *David Williamson*, Mr. *James Webster*, Mr. *Patrick Cuming*, Mr. *George Barcklay*, Mr. *Andrew Wardroper*, Mr. *Andrew Thomson*, Mr. *James Brown* and Mr. *William Wishart* Ministers. The Earl of *Glasgow*, Lord President of the Session, Lord Advocat, Lord *Pollock*, Lord *Tillicultry*, Sir *James Campbel* of *Aberuchel*, Sir *James Campbel* of *Auchinbreck*, *James Campbel* of *Ardkinlass* Younger, and Mr. *James Anderson* Writer to the Signet, Ruling Elders, or any Five of them, which is hereby declared to be a *Quorum*, to be a Committee, for receiving the saids Libraries, when brought home, and giving Orders anent the Transmitting thereof to the respective places, for which

they are appointed; and the reſpective Presbytries are deſired to adviſe the forſaid Committee of the beſt way of Tranſmitting theſe *L*ibraries to them: And the General Aſſembly does hereby impower the forſaid Committee to do every thing neceſſary toward the *M*anagement of that whole Affair, which may tend moſt for obtaining the Ends for which theſe Libraries are deſigned; And that until the next General Aſſembly, to whom they are to be accountable; and particularly to cauſe print ſeveral Copies of the *R*ules for ordering the ſaids Libraries, agreed upon by the laſt Aſſembly, and tranſmit the ſame to the Presbytries concerned: And ſeing that beſides the ſeventy ſeven *L*ibraries abovementioned, there are ſome *P*reſſes of *B*ooks not methodized and ſorted; that the ſaid Committee digeſt them in order, and diſtribute them to ſuch places as have moſt need, And therein a ſpecial regard is to be had to the remote Iſles, And that they cauſe bind ſuch of the Books as are not bound, Inſpect the ſaids Libraries, compare them with the Catalogues; And if they find cauſe, to exchange ſome from *P*arochial to Presbyteral Libraries: And its hereby recommended to them, that upon Arrival of theſe Libraries, they ſend an Account thereof to *Mr. Vigerus Edwards* and *Andrew Bell* at *London*, and that they write Letters of Thanks to the Donours.

XIII.

Commiſſion to ſome Miniſters and Elders, for planting Vacant Kirks in the North, *the* Highlands *and* Iſlands, *and other Affairs remitted to them.*

Edinburgh 10*th April* 1705. Poſt Meridiem. Seſſ. 13.

THE General Aſſembly, taking to their Conſideration, that there are yet ſome Vacant Churches on the North Side of *Tay* and in the *Highlands* and *Iſlands*, as likewiſe ſeveral weighty Affairs which this Aſſembly cannot overtake; do therefore find it needful, that there be a *C*ommiſſion granted to ſome *M*iniſters and Ruling Elders for planting theſe vacant Churches, and doing what other Affairs may be referred to them, and for that End, do hereby Nominate Commiſſionate and Appoint their Reverend Brethren, *M*aſters *William Crichton M*iniſter at *Edinburgh*, *John Law* there, *George Meldrum* Profeſſour of Diviniy in the Colledge thereof, *George Hamilton* there, *David Williamſon* at the Weſt-Kirk, *John Hardie* at Gordon, *William Calderwood* at Litgerwood, *Gabriel Semple* at Jedburgh, *Thomas Sheilds* at Sanquhar, *Thomas Warner* at Balmaclellan,

maclellan, *Hugh Campbel* at Muirkirk, *James Hutcheſon* at Kilallan, *Patrick Simpſon* at Renfrew, *Duncan Campbel* at Roſneath, *Duncan Campbel* at Knabdale, *John Anderſon* Principal of the Leonardine Colledge of St. Andrews, *William Mitchel* at Dundee, *Hector Frazer* at Kincardine in Roſs, *William Steuart* at Kilteatn, *William Innes* at Thurſo in Caithneſs, *Edward Irving* at Orphire in Orknay, *Robert Gray* at Neſting in Zetland, *William Carſtares* Principal of the Colledge of Edinburgh, *Thomas Wilkie* in Cannogate, *David Blair* at Edinburgh, *Robert Sandilands* there, *William Hamilton* at Cramond, *Alexander Dalgleiſh* at Linlithgow, *Thomas Miller* at Kirkliſton, *William Burnet* at Falkirk, *Robert Livingſton* at Biggar, *John Sandilands* at Dolphington, *Archibald Torie* at Newlands, *James Robertſon* at Atholſton, *Mathew Selkrig* at Crichton, *John Williamſon* at Cranſtoun, *Patrick Cuming* at Ormiſton, *John Curry* at Haddington, *John Bell* at Gladſmuir, *Matthew Reid* at North-Berwick, *Thomas Finlay* at Preſtonkirk, *George Turnbul* at Tyningham, *Archibald Borthwick* at Greenlaw, *Laurence Johnſtonn* at Dunſe, *Gilbert Laury* at Huttoun, *James Ramſay* at Eyemouth, *James Douglaſs* at Stow, *Henry Home* at Channelkirk, *Ninian Home* at Sprouſtoun, *Walter Douglaſs* at Linton, *Alexander Colden* at Oxnam, *James Borlands* at Bedrule, *Charles Gordon* at Askirk, *William Mackghie* at Selkrig, *Patrick Home* at Kirkmichael, *John Dunlop* at Mouſewel, *James Black* at Gratney, *Robert Darline* at *Ews*, *William Vetch* at Drumfrees, *Robert Blair* at Holywood, *James Guthry* at Irongray, *James Elder* at Kier, *Thomas Tod* at Deriſdeer, *Andrew Cameron* at Kircudbright, *Samuel Spalding* at Parton, *James Monteith* at Borgue, *Thomas Campbel* at *Monygaff*, *Robert Seaton* at Glaſtertoun, *Robert Colvil* at Glenluce, *Robert Fergusſon* at Kilmunel, *James Gilchriſt* at Kirkmichael in the Presbytry of Air, *Andrew Rodger* at Galſton, *John Hunter* at Air, *Mungo Lindſay* at Dalgean, *John Glaſgow* at Kilbirny, *William Wright* at Kilmarnock, *William Fleeming* at Innerkip: *Thomas Broun* at Paiſley, *Robert Wyllie* at Hamilton, *Archibald Hamilton* at Cambuſlang *James Garſhore* at Carmichael, *John Bannatyne* at Lanerk, *Thomas Linning* at Leſmahego, *James Broun* at Glaſgow, *John Stirling* Principal of the Colledge thereof, *James Hay* at Kilſyth, *John Anderſon* at Drymen, *John Ritchie* at Old Kilpatrick, *John Campbel* at Kilmoden, *Daniel Mackay* at Inverary, *Alexander Campbel* at Glenverary, *James Boes* at Campbelton, *Neil Mackviccar* at Fort-William, *Alexander Douglaſs* at Logie, *Thomas Buchanan* at Tilliallan, *John Logan* at St. Ninians, *James Brisbane* at Stirling, *John Tullideph* at Dumbarny, *John Colquhoun* at Drone, *William Moncreiff* at Methvin, *James Gray* at Kinloch, *Alexander Chapman* at Monedie

Monedie, *John Drnmmond* at Creif, *James Mitchel* at Auchterarder, *Samuel Charters* at Inverkeithing, *James Hog* at Carnock, *John Shaw* at Leſly, *John Wilſon* at Kircaldy, *James Pitcairn* at Ketle, *William Pitcairn* at Coleſſie, *George Gilleſpie* at Stramiglo, *James Hadow* Profeſſor of Divinity at St. Andrews, *John Anderſon* junior there, *William Moncreiff* at Largo, *Joſeph Pitcain* at Kingsbarns, *Samuel Johnſtoun* at Dundee, *Walter Ainſly* at Lundy and Foulis, *William Miller* at Meegle, *George Clephan* at Newtyld, *George Wemyſs* at Ferne, *James Robertſon* at Menmuir, *John Fergusſon* at Aberbrothwick, *Arthur Shepherd* at Laurence-kirk, *Martine Shanks* at Upper-banchry, *James Douglaſs* at Aboyn, and Glentaner, *Thomas Blackwel* at Aberdeen, *John Angus* at Kinneller, *William Mair* at Oyne, *Alexander Shand* at Glenbuchet, *John Mullikin* at Methlick, *Andrew Guthrie* at Peterhead, *Peter Darline* at Boyndie, *John Gilchriſt* at Keith, *James Thomſon* at Elgin, *Alexander Forbes* at Dyke; and *Robert Baillie* at Inverneſs, Miniſters. The Right Honourable *James* Earl of Seafield Lord High Chancellor of this Ancient Kingdom of Scotland, *John* Earl of Rotheſs Lord Privy Seal, *John* Duke of Athole, *William* Marqueſs of Lothian, *George* Earl of Melvil, *John* Earl of Ruglen, *Patrick* Earl of Marchmount, *John* Earl of Hyndſoord, *David* Earl of Glaſgow, *Charles* Lord Yeſter, *Patrick* Lord Polwarth, *William* Lord Forbes, *William* Lord Roſs, *Robert* Lord Burleigh, *John* Lord Belhaven, Sir *Hugh Dalrymple* of North-Berwick Lord Preſident of the Seſſion, Sir *James Steuart* of Goodtrees Lord Advocat, *George Baillie* of Jerviſwood Lord Theſaurer Deput, *Adam Cockburn* of Ormiſton Lord Juſtice Clerk, Sir *John Hamilton* of Halcraig, Sir *David Home* of Croſrig, Sir *William Anſtruther* of that Ilk, Sir *John Maxwell* of Pollock, and Sir *Robert Stewart* of Tillicultry, five of the Senators of the Colledge of Juſtice, Mr. *John Campbel* Brother to the late Duke of *Argyle*, Mr. *Francis Montgomrie* of Giffan, Lieutenant Colonel *John Erskine* of Carnock; Sir *John Home* of Blackader, *Lodouick Grant* of that Ilk, *Alexander Grant* of that Ilk Younger, *James Brodie* of that Ilk, *Hugh Roſs* of Kilravock, *David Roſs* of Balnagowon, Sir *Robert Monro* of Fowlis, Sir *William Dumbar* of Hemprigs, Sir *William Craigie* of Gairſey, *William Baillie* of Lamington, Sir *John Clark* of Pennycook, Sir *John Pringle* of Stitchel, Sir *Robert Steuart* of Allanbank, *James Pringle* of Buckholm, *Thomas Kilpatrick* Younger of Closburn, Lieutennant Colonel *William Maxwell* of Cardoneſs, *Patrick Murdoch* of Cumloden, Sir *James Agnew* of Lochnaw, Mr. *James Boſwal* of Afleck Younger, *John Alexander* of Blackhouſe, *Hugh Montgomrie* of Busbie, Sir *David Steuart* of Kirkfeild, Mr.

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Thomas Aikman of Bromelton, Sir *Andrew Kennedy* of Cloburn, Sir *James Campbel* of Auchinbreck, Sir *Colin Campbel* of Ardkinlass, *James Campbel* of Ardkinlass Younger, Sir *James Campbel* of Aberuchel *Craigie* of Dumbarny, Sir *David Carnegy* of Pittarow, Sir *Alexander Ogilvie* of Forglen, Sir *Patrick Johnstoun* Lord Provost of Edinburgh, *John Scrimzeor* of Kirton late Provost of Dundee, *John Allardes* late Provost of Aberdeen, Lieutenant Colonel *John Erskine* Governour of Stirline Castle, *Walter Steuart* of Pardivan Provost of Linlithgow, *John Anderson* of Dowhil Provost of Glasgow, Mr. *Thomas Rome* of Cloudon Provost of Drumfrees, Sir *Walter Pringle* Advocat, Mr. *William Brodie* one of the Commissars of *Edinburgh*. Mr. *James Gellie* Advocat, *George Clark* late Baillie in Edinburgh, Mr. *Robert Cleiland* of Hilhouse, *William Wardrop* Deacon-Conveener in Edinburgh, and Mr. *John Simpson* in Renfrew, Ruling Elders. To be Commissioners of this General Assembly, to the Effect before and aftermentioned, with full power to the saids persons or their *Quorum*, which is hereby declared to be any Twenty One of the saids Commissioners, whereof Fifteen are always to be Ministers, to meet and conveen within the Assembly House at *Edinburgh*, the first day after the Dissolution of this Assembly at ten Hours in the Forenoon, and afterwards to meet the first Wednesday of *June*, second Wednesday of *November*, and last Wednesday of *March* next, and oftner, when and where they shall think needful and convenient, with power to the said Commission to chuse their own Moderator: And sicklike the General Assembly fully Impowers and Authorises their saids Commissioners or their *Quorum*, to Cognosce and finally Determine as they shall see cause, in every matter referred, or that shall be referred to them, by any Act or Order of this Assembly, and to do every thing contained in, and conform to the Instructions given them by this Assembly, and likewise in all Affairs referred to the Commission of the late Assembly, not as yet discussed. *And finally*, with power to the said Commission to advert unto the Interest of the Church on every Occasion, and that the Church and present Establishment thereof, do not suffer or sustain any prejudice which belongs to them to prevent, as they will be answerable; And they are hereby strictly Prohibite and Discharged to medle in any other matters than what are committed to them, and in all their Actings, they are to proceed according to the Acts and Constitutions of this Church, and do nothing contrary thereto, or to the Prejudice of the same, declaring that in and for all their Actings, they shall be comptable to and censurable by the next General Assembly as they shall see cause. *And lastly*, this Commission is to continue and endure to the next General Assembly.

XIV.

Instructions to the Commission of the General Assembly.

Edinburgh 10*th* of *April* 1705. post Meridiem Sess. 13.

THAT this Commission as often as they shall see cause, apply to the Government or any Magistrat, for their countenancing of, and concurring with the Judicatories of the Church, in what the Law allows, and for putting in Execution the Laws against Popery, and Prophanness, and seeking redress of Grievances, particularly the Abuses or Disorders committed contrary to the Established Presbyterian Government of this Church, the Contempt of the Censures of the Judicatories thereof, inflicted on Scandalous Persons, and setling Vacant Congregations, regulating the Poor by providing Maintenance and Labour for them, and to meet when the Parliament sits.

2. That when any of the Ministers, who served under the late Prelacy, whose Lives and Doctrines may render them useful to this Church, do apply for Reception into a Share of the Government therof; The General Assembly do hereby impower and recommend to their Commission to receive them according to the 13*th Parag.* of the 16*th* Act of the General Assembly *anno* 1697; And that the forsaid Commission be careful to get due Information from the Presbytries where the said person applying did or does Officiat, and for the time resides.

3. That this Commission use their utmost Diligence for getting payment of the Money gifted by the Queens Majesty, for defraying the publick Charges of the Church; And in disposing thereof, they are particularly to take care that the publick Debts of the Church be first payed; The Encouragement granted by the General Assembly *anno* 1699 to Probationers who go *North* or to the *Highlands* to Preach, be rendered effectual; And that they cause defray the extraordinary Charges and Expences that Presbytries and Ministers have been at, particularly in the *North*, in carrying on the Planting of Churches, and other publick Affairs of the Church there.

4. The forsaid Commission is to Cognosce and finally Determine in all References already made or to be made to them by this Assembly, and in References and Appeals for transporting Ministers to the *North*, the *Highlands* and *Isles*, which shall be brought before them, according to the Overture made thereanent *anno* 1699, and that Transportations

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to any Parishes in these places, whether priviledged by former Acts of Assembly or not, be carried on, and that in the most expedite way, providing that the Commission do not medle with Sentences of Synods, excepting Causes specially referred to them by the Assembly.

5. This Commission is also to correspond with the State anent Fasts and Thanksgivings, as occasion requires, and to specify the Causes thereof.

6. That this Commission give Advice and Assistance to any Synod or Presbytry in difficult cases, as they shall be applyed unto by them for that effect: As also this Commission is impowered to proceed according to the *7th* Act of the General Assembly 1700, made in favours of the Presbytries, of *Caithness*, *Orknay* and *Zetland*.

7. This Commission is impowered to enquire how Ministers transported by the General Assembly, or Commissions thereof, have obeyed or shall obey, and in case of Disobedience, that they suspend the disobedient persons for three Moneths; And in case they do not obey after these three Moneths are elapsed, that then they be *simpliciter* deposed.

8. That the Commission give all due Encouragement and Assistance to any Proposals may be made to them anent Endeavours for Reformation of Manners, and for the effectual curbing of Prophanity, and give all due Assistance for suppressing of Error and Schism, and to take notice how any who have been censured by this or preceeding Assemblies or Commissions thereof have obeyed, and proceed to further Censure, as they shall see cause, if the Censures of the Church be contemned.

9. That the said Commission shall see to the effectuating whatever hath, or shall be by this Assembly committed to them, concerning the *Highlands* and *Islands*, and Vacant Churches in the *North*, for erecting Schools, and what else may tend to the Encouragement of Religion, and Advancement of Reformation in these places.

10. That the Commission apply to the Parliament for, getting a Commission for Plantation of Kirks and Valuation of Teinds, and another Commission for Visitation of Schools and Colledges, and to use their utmost Endeavours to make the Design thereof effectual, particularly for preventing or Redressing any Corruption that may be found in Doctrine or Manners, and whatsoever may have a Tendencie thereto.

11. That the Commission have a special respect to the *9th* Act of the General Assembly 1703. Entituled, Act approving some Overtures, concerning the planting Vacant Churches in the *North* and *Highlands* and *Islands*, and supplying thereof with Ministers and Probationers and promoting

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Religion and the Knowledge of God in theſe places: And the Commiſſion are hereby impowered to proceed according to theſe Overtures, in ſo far as they ſhall find it needful.

XV.

Act concerning the Attendance of the Members of the Commiſſion.

Edinburgh 10*th April* 1705. Poſt Meridiem Seſſ. 13.

THE General Aſſemblie appoints the ſeveral Presbytries to be careful to ſend in one at leaſt of their Number who are Members of the Commiſſion, to attend the Meetings thereof by Turnes, and Ordains the ſaids Presbytries to ſend in to the Commiſſion, the Names of ſuch as they have appointed to attend the ſeveral Diets thereof, that theſe who are negligent in this matter, may be cenſured according to former Acts of Aſſembly thereanent.

XVI.

Recommendation concerning Students of Theologie, and Intrants to the Holy Miniſtry.

Edinburgh 11*th April* 1705. Poſt Meridiem Seſſ. 14.

THE General Aſſembly conſidering the great Unity and Concord, that by the Bleſſing of God is amongſt the Office Bearers in Gods Houſe, the deſirable and comfortable Harmony between Church and State in this Kingdom, wherein the Glory of God, the Succeſs of the Goſpel, and the Firmneſs of our Happy Eſtabiſhment are ſo deeply intereſted; And conſidering likewiſe, that nothing can be more effectual for ſecuring theſe Bleſſings and advancing theſe Ends, than that the Preachers of the Goſpel commend themſelves to God and the Conſciences of all *Men*, by their Piety, Prudence, Literature and peaceable Behaviour, Principles and Diſpoſition, and good Affection to the Government of Church and State: Therefor the General Aſſembly did by an unanimous Vote, and hereby do ſeriouſly Recommend it to the ſeveral Presbytries of this Church to keep a watchful Eye upon all Students of Theology, and to be careful that none be Licenced to Preach or Admitted to Churches, but ſuch as ſhall give Evidence of their Orthodoxy, by ſigning the Confeſſion of Faith approven by former

mer General Assemblies of this Church, and ratified by *Law* in the Year 1690, as the Confession of their Faith, of their good Affection to the Government of Church and State, of their peaceable Principles and Disposition, by engaging to observe good Order, in Conjunction with, and a due Subjection to the Judicatories of this Church; And of their Literature, by abiding a strict Tryal; And shall own the Presbyterian Government of this Church, to be agreable to, and founded on the Word of God; And promise never to endeavour directly nor indirectly the *Prejudice* or Subversion thereof, according to former Acts of Assembly thereanent.

XVII.

Act concerning a Solemn Fast and Humiliation.

Edinburgh 12*th Aprile* 1705. Sess. Ult.

THE General Assembly considering the great *Dangers* which threaten the Protestant Religion, both at Home and Abroad, the long continuance of a wasting and desolating Warr, and how much the Safety and Welfare of this Church and Kingdom does depend upon the *Preservation* of Her Majesties Person and Government, the Conduct of Her Councils, and the Deliberations and Determinations of the ensuing Session of *Parliament*; And considering that Sin and Wickedness does abound to the provoking of the Holy God against these Nations, do judge it fit, that a Day be set apart for solemn *Prayer*, Fasting and Humiliation before the Lord, on these Considerations; *But* seing the same cannot be obtained through the whole Nation in one Day, before the time appointed for the sitting down of the Parliament, and that in regard of the Season of the Year, diverse parts of the Country may be in different Circumstances: Therefore the General Assembly does hereby seriously Recommend to the several Synods and Presbytries within this National Church, at their first Meeting, to consider upon the Premisses, and to appoint and set apart a *Day* for solemn publick *Prayer*, Fasting and Humiliation in all the Churches within their Respective Bounds, upon the Accounts foresaid, and other Reasons contained in the Causes of former Fasts appointed by the General Assembly and Commissions thereof, with a special Regard to the present Circumstances of Affairs both at Home and Abroad, and that this may be the sooner done, and the more solemnly gone about; It is hereby recommended to the Brethren present, to acquaint their Synods and Presbytries hereof, as soon as they can,

and the Moderators of the Reſpective Presbytries, are hereby Ordained, if need be, to call the ſame *pro re nata*, as ſoon as theſe *P*reſents come to their hand, in order to their concerting the ſaid Faſt. And the General Aſſembly Recommends to the Miniſters to be moſt ſerious in holding forth to their *P*eople on that Occaſion, the Grievous Sins of this Land, and and the Tokens of GODS *D*iſpleaſure, becauſe of them, expreſt many ways; To Exhort all Ranks of People to ſerious *R*epentance, *R*eformation and fervent Prayer to GOD, that He would *P*reſerve Her Majeſties Perſon, Direct Her Councils, and Bleſs Her Forces by *S*ea and *L*and with Succeſs, in Defence of the *R*eformed *P*roteſtant Religion, and the juſt *L*iberties of *Europe*; That he would Guide and *D*irect the Parliament of this Kingdom to ſuch *D*eterminations, as may be moſt for the Advancement of *R*eligion, and the Peace and Welfare of theſe Nations, And Bleſs the Seaſon of the Year: And the General Aſſembly Appoints theſe Preſents to be Printed, and Copies thereof to be ſent to the ſeveral Miniſters within the Kingdom.

XVIII.

Act concerning the Buying and Obſervation of the Acts of the General Aſſembly.

Edinburgh 12*th Aprile* 1705. Seſſ. Ult.

THE General Aſſembly taking to conſideration, that there is a great Neglect in calling for the Acts of the General Aſſemblies of this Church, ſo that the ſaids Acts not coming to Presbytries and Seſſions, they are not acquainted with what is thereby laid upon them: Therefore it is hereby recommended to the ſeveral Presbytries and Kirk-Seſſions, who want the Acts of former General Aſſemblies, to furniſh themſelves therewith, and appoints the Agent for the Kirk in all time coming, after every Aſſembly, ſo ſoon as the Acts thereof ſhall be printed, to tranſmit as many Copies of the ſame to every Presbytry within the Kingdom, as will ſerve them, and each *P*ariſh within their Bounds; And ordains that both *P*resbytries and Seſſions at their firſt Meeting after receiving the ſaids Acts, cauſe read the ſame, at leaſt ſo many of them, as are of publick Concern, and which relate to themſelves in order to their Obſerving thereof; And all this to be upon the Charges of the ſeveral Presbytries and Seſſions; And Synods are enjoyned to enquire at *P*resbytries how this Act is obſerved, and cauſe mark their Diligence thereanent in their Books: And farther

ther appoints the Agent for the Kirk to send to the several Presbytries, some Copies of the Overtures lately printed, concerning the Discipline and Method of Procedure in the Judicatories of this Church. And *Lastly* Appoints the Commissions of the General Assembly, to use their Endeavours that this Act be made effectual, and duely observed by these concerned.

XIX.

THE next General Assembly of this National Church, is to be holden at *Edinburgh*, The first Thursday of *Aprile*, *One Thousand Seven Hundred and Six, being the fourth Day of that Moneth.*

This Assembly was concluded with Prayer, Singing of the 124 *Psalm throughout, and Pronouncing of the Blessing.*

Collected and Extracted from the Records of the General Assembly, by

Jo. Dundas. Cls. Eccl:

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V. Act concerning Schools and Bursaries, and for Instructing Youth in the *Principles* of Religion. 10

VI. Act concerning the Regulation of the Commissions of the General Assemblies, and Attendance of Members thereon. 11

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After Sermon by *Mr. Thomas Wilkie* Moderator of the last Assembly, The General Assembly did conveen, and being opened by him.

Mr. *William Carstares* Principal of the Colledge of *Edinburgh* and Minister there, was chosen Moderator. Session 1

The Queens Commissioner and Moderator of the General Assembly their Speeches at opening of the Assembly. *Ibid.*

A Committee named for drawing up an Answer to the Queens most Gracious Letter. *Ibid.*

A Committee appointed for Overtures during this Assembly. *Ibid.*

A Committee appointed for Bills, References and Appeals, during this Assembly. *Ibid.*

A Committee appointed for considering Commissions, censuring Absents, and naming Ministers to preach before the Commissioner, and supplying the *Vice* of the Ministers of *Edinburgh* and Suburbs, who are Members of this Assembly. *Ibid.*

Act appointing the Commission and Synod Books to be produced to the next Meeting of this Assembly. *Ibid.*

Appointment of a Diet for Prayer. *Ibid.*

A Diet spent in Prayer. *Sess.* 2

The Draught of an Answer to the Queens Gracious Letter, unanimously approven, and being signed, it was recommended to the Commissioner to convey it to Her Majesty. *Sess.* 3

Report of the Committee for considering Commissions, and an Act sustaining the same, with a Recommendation anent the more punctual observing the Acts of the General Assembly, concerning the regulating Elections and Commissions to the General Assembly. *Ibid.*

Act in favours of *Mr. David Pitcairn*, taking off a Sentence of a former Commission, And declaring him free to exercise his Ministry, and accept of an orderly Call from any place within this National Church. *Ibid.*

Committees named and appointed for revising the Commission-Book, and the Books of the Synods of *Ross*, *Caithness*, *Lothian* and *Tweeddale*, *Merse* and *Tiviotdale*, *Drumfrees*, *Galloway*, *Perth* and *Stirline*, *Fife*, *Angus* and *Merns*, *Aberdeen*, and *Murray*. *Ibid.*

The Synods of *Glasgow* and *Air*, and *Argyle* excused for not sending in their Books at this time, and they appointed to bring in the same to the next Assembly. *Ibid.*

Remitt to the Committee for Overtures anent the Libraries for the *Highlands* and *Islands*. *Ibid.*

Mr. *Hugh Anderson* Commissioner from the Presbytry of *Elgin*, his Absence excused. *Ibid.*

Recommendation anent buying the Overtures for Discipline, which are reprinted, according to the 25*th* Act of the late Assembly. *Ibid.*

The Names of Probationers and Students ordered to be given in to *Mr. John Sandilands*, who is to draw up a List thereof, and give in the same to the General Assembly. *Ibid.*

Committee for receiving Instructions given by Presbytries to their Commissioners, appointed to meet thereanent, and Intimation made thereof, that all concerned might attend. *Ibid.*

A Committee named for Libraries, and for the *Highlands*, the *North* and *Islands*. *Sess.* 4

Act continuing Mr. *Thomas Buchanan* Minister at *Tillitallan* and refusing his Transportation to *Kilmadock*. *Ibid.*

Mr. *John Hepburns* Affair tabled, he called, and being absent, the Affair delayed. *Sess.* 5

Act continuing Mr. *John Shaw* Minister at *Lesly*, and refusing his Transportation to *Perth*. *Ibid.*

A first Reading allowed some Overtures anent Scandalous Persons, and anent Schools and Bursaries *&c.* *Ibid.*

A Committee for considering the Grievances of the Provincial Synod of *Aberdeen* and other Places, with relation to Popery, Intrusion on Churches *&c.* *Ibid.*

Act anent Mr. *Robert Mcfarlane* Minister at *Tarbet* his being sent in Mission to *Southerland* *Sess.* 6

Mr. *John Robertson* appointed to go and supply Vacancies one Year in *Sutherland*. *Ibid.*

Mr. *Robert Monro* Student, recommended to a Bursary. *Ibid.*

A Petition for the Presbytries of *Ross* and *Sutherland* read, and several things therein delayed, and *Mr. William Stewart* at *Blair* of *Goury* his Mission thither refused. *Ibid.*

Mr. *Hugh Innes* Minister at *Mortclith* appointed to correspond with the Presbytry of *Strathbogie*, and be assisting to them as a member, for one Year at least. *Ibid*

A Committee named anent a Stipend to a 3*d* Minister at *Inverness*, and another anent Mr. *Samuel Johnstoun* at *Dundee*. *Ibid.*

Recommendation in favours of Mr. *John Binning*, desiring that the Contributions allowed him, by the late Assembly, may be sent in to Mr. *James Hart*, according to a former Act thereanent. *Ibid.*

Appointment of a Diet for considering the Instructions from Presbytries, anent Regulation of the Commission, and all concerned desired to be present. *Ibid.*

A Com-

A Committee appointed to consider the Affair concerning Mr. *John Websters* Settlement at *Fettereſſo*, and Petition againſt it. *Seſſ.* 7

Mr. *John Hepburn* compearing, the Papers read, and a Committee appointed to conſider the Affair. *Ibid.*

Act declaring Mr. *John Webster* legal Miniſter at *Fettereſſo*, and that Mr. *Gideon Guthry* Intruder ſhould deſiſt from Preaching there, and remove from the Kirk and Manſe; with a Reference to the Commiſſion, upon Application, to uſe the beſt Expedients they can for ſettling the peace of that Pariſh. *Seſſ.* 8

A Committee appointed to conſider an Affair concerning the Appeal of ſome in *Kelſo* from the Presbytry thereof, upon their refuſing to ſend one to moderate a Call to Mr. *George Miln* Probationer. *Seſſ.* 9

Recommendation to theſe in the Government, in favours of Mr. *Andrew Ker* one of the Miniſters of *Kirkwal* in *Orknay*, anent an Augmentation to his Stipend, out of the Biſhops Rents; And for Her Majeſties proportion, according to Her valued Rent in *Orknay*, for Erecting Schools and Repairing Kirks and Manſes there. *Ibid.*

A Committee anent Mr. *Hugh Whites* going to *Kinnaird*. *Ibid.*

Report of a Committee anent Mr. *John Hepburns* Affair, with a Propoſal made by the Brethren from the Synods of *Drumfrees* and *Galloway* in his favours, upon his coming under Obligations to walk orderly. *Ibid.*

The Commiſſioners from Presbytries in the ſeveral Synods; ordered to meet ſeparatly, and name a Committee for naming theſe to be on the Commiſſion *&c.* *Ibid.*

The Committee for naming perſons to be upon the Commiſſion, being appointed, they are ordered to meet, to name the perſons, and draw the Commiſſion and Inſtructions. *Seſſ.* 10

Report anent the Proceſs concerning Mr. *Samuel Johnſtouns* being Tranſported from *Dundee* to *Monymail*. *Ibid.*

Mr. *John Hepburn* offers to ſign the Confeſſion of Faith, as the Confeſſion of his Faith, and craves a new delay; but the Aſſembly proceeds to depoſe him. *Ibid.*

The Queens Advocat craves the uſe of the Proceſs againſt Mr. *Hepburn*, which is granted. *Ibid.*

Reference to the Commiſſion anent disjoyning the Pariſh of *Arderſier* from *Roſs*, and annexing the ſame to the Presbytry of *Inverneſs*. *Seſſ.* 11

Reference to the Commiſſion anent planting of *Diurneſs*, and getting a Fond for a Catechiſt to that Pariſh. *Ibid.*

Act tranſporting Mr. *William Steuart* Miniſter, from *Kiltearn* to be one of the three Miniſters of *Inverneſs*, but he deſired

desired to correspond for some time with the Presbytry of *Ross*. *Ibid.*

The Queens Commissioner gives an Account to the Assembly of Her Majesties Gracious Acceptance of their Answer to Her Letter. *Ibid.*

Reference to the Commission anent Application to the Government, concerning Fairs and Mercats upon the Mundays and Saturdays. *Sess.* 12

Recommendation anent buying Mr. *Patrick Gillespies* Book on the Covenant. *Ibid.*

Reference to the Commission anent revising the Scripture Songs, in order to prepare the same for publick use. *Ibid.*

Overture anent a Fast, and an Act to be brought in thereanent. *Ibid.*

Act anent recording the Accounts of the publick Money in a Book for that purpose. *Ibid.*

Reference to the Commission concerning the *Irish* Bibles and enquiring anent them, and renewing the *16th* Act of the General Assembly 1699 thereanent. *Ibid.*

Reference to the Commission to enquire anent the 120 *lib. sterl.* gifted by the Queen for defraying the Charges of the Libraries for the *Highlands*. *Ibid.*

The Recommendation to the Synod of *Argyle* contained in the *16th* Act of the Assembly *anno* 1699, concerning the translating the Confession of Faith and Catechism into *Irish*, renewed. *Ibid.*

Recommendation anent Observation of the *13th* and *14th* Acts of the late General Assembly anent Bursars having *Irish*, and Erecting Schools in the *Highlands*. *Ibid.*

Appointment of a Committee anent the Difference betwixt Mr. *James Murray* and Mr. *Simon Riddel*, with a power to determine therin. *Ibid.*

Act appointing the Presbytry of *Kelso*, upon Application to them, to give Orders anent moderating in a Call to one to be Minister of *Kelso*, with a Reference to the Commission to Adjust and Determine in any Differences that may be thereanent. *Sess.* 13

Recommendation in favours of Mr. *Charles Keith*, with relation to a new Erection in the Parish of *Week* in *Caithness*, and the Agent for the Kirk to prosecute the same, with a Reference to the Commission in favours of Mr. *Charles Keith* Minister there, and order in favours of Mr. *George Irving*. *Ibid.*

Recommendation in favours of Mr. *Alexander Irving* Probationer, sent to the Presbytry of *Turreff* and *Fordyce*. *Ibid.*

Reference to the Commission anent the Transportation of Mr. *Peter Darling* from *Boyndie* to *Forress*, with a Warrand for citing Parties. *Ibid.*

Synod

Synod Books of *Lothian* and *Tweeddale*, *Merſe* and *Tiviotdale* reviſed and atteſted, with a Reſervation as to the later concerning the Proceſs anent *Tuſhilaw*. *Ibid.*

Reference to the Commiſſion anent Mr. *Gilleſpies* Book on the Covenant. *Seſſ.* 14

The Synod Books of *Roſs*, *Caithneſs*, *Orknay*, *Galloway*, *Drumfrees*, *Perth and Stirline*, *Fife*, *Angus* and *Mernes*, *Aberdeen* and *Murray* reviſed and atteſted, with ſome Remarks and Advices, particularly to *Roſs* to be more exact in their Viſitations: *Drumfrees* diſſapproven in their cenſuring *Elſpeth Dickſon* as a Slanderer, for her accuſing *Mr. Clannie* as guilty of Adultry with her, becauſe he purged himſelf thereof by his Oath; And yet appointing her to ſatisfy as an Adultereſs upon her Confeſſion of that Guilt on her part: *Perth* diſſaproven in their declaring a Call illegal after they had ſuſtained it, ſo far as to vote a Tranſportation upon it. *Ibid.*

Reference to the Commiſſion, of the Petition anent disjoyning the Synod of *Caithneſs*, *Orknay* and *Zetland*; And that Synod exeemed from meeting in the mean time, for this Year. *Ibid.*

Mr. *Robert Gray* Commiſſioner from the Presbytry of *Zetland* to this Aſſembly, his Abſence excuſed. *Ibid.*

Reference to the Commiſſion anent Mr. *James Buchan's* Demiſſion and Letters theranent. *Ibid.*

The Presbytry of *Dumblane* deſired to ſend in an Account to the Commiſſion, anent the Librarie of *Dumblane*. *Ibid.*

Reference to the Commiſſion anent the School at *Fort-William*, and ſome Letters thereanent. *Ibid.*

Committee for preparing the Form of Proceſs in Church Judicatories, and to be ready againſt *June*, and the Commiſſion ordered to tranſmitt the ſame to the ſeveral Presbytries; who are to bring in their Opinions to the next Aſſembly. *Seſſ.* 15 *&* *Ult.*

Recommendation to the Commiſſion anent the Grievances of the Synod of *Aberdeen* and other Synods and Presbytries, with relation to Prophaneneſs, Popery, Intruſions *&c.* *Ibid.*

Reference to the Commiſſion anent the Proceſs concerning Mr. *Samuel Johnſtoun's* Tranſportation from *Dundee* to *Monymail*, with a Reference thereanent in favours of *Monymail*, for planting thereof; in caſe that Tranſportation fail. *Ibid.*

Recommendation in favours of Mr. *Francis Borland* Miniſter, who was ſent to *Caledonia*, anent his getting payment of what is due to him by the *African* Company. *Ibid.*

Recommendation to the Commiſſion for applying to the Civil Magiſtrat, for removing the depoſed Mr. *John McMillan* from the Kirk and Manſe of *Balmaghie*, and a Refe-

Reference to the Presbytry of *Kircudbright* and Synod of *Galloway*, if they see cause, to proceed to the highest Censures of the Church against him. *Ibid.*

Recommendation in favours of *Colin Alison* for buying the the Book Intituled *The Hierarchical Bishops' Claim tryed at the Scripture Bar*, with a Reference to the Committee anent the Libraries for the *Highlands*. *Ibid.*

Recommendation in favours of *Mr. George Wemyss* anent buying *Mr. John Spaldings* Book *on the Sacrament of the Lords Supper*; And desiring *Mr. Wemyss* to give in to the Clerk, some Papers belonging to the Assembly. *Ibid.*

Recommendation in favours of *Mr. William Jamison* Professour of History in the Colledge of *Glasgow*, anent buying his Book Intituled *Cyprianus Isotimus*. *Ibid.*

Reference to the Commission in favours of *Inverness*, with an Appointment on the *Moderator* to write to the *Magistrats* thereof. *Ibid.*

Act in favours of *Ross* and *Sutherland* granting them several Priviledges, particularly that none of their *Ministers* be transported, till their Number be encreased, without consent of the Presbytries concerned, with a Reference to the Commission, anent Purging and Planting of *Sutherland*, sending *Ministers* and *Probationers* to these Presbytries, assisting in Processes, and getting legal Stipends, repairing Kirks and *Manses*, and to Erect a Presbytry in *Sutherland*. *Ibid.*

Reference to the Commision in favours of *Mr. Hugh White*, with relation to his *Petition* against his going to *Kinnaird*. *Ibid.*

Reference to the Commission in favours of *Mr. Hugh McHenry* anent his Petition, craving the Sentence of Deposition past against him *anno* 1700 might be taken off. *Ibid.*

Reference to the Commission of the Appeal of *Michael Andieson* of *Tushilaw* from the Synod of *Merse* and *Tiviotdale*, *and the Process concerning the Scandal of Fornication laid to his Charge with* Agnes Leishman, *which he denyes*. *Ibid.*

Reference to the Commission anent *Mr. Alexander Thomson* late *Minister* at *Peter-Coulter* who was deposed, craving he may be reponed against the Protestation admitted against him last Assembly, and a Warrand granted for citing Parties. *Ibid.*

Reference to the Commission anent disjoyning the Parish of *Forg* from the Presbytry of *Turreff*, to the Presbytry of *Strathbogie*. *Ibid.*

Reference to the Commission anent disjoyning the Parish of *Dunsyer* from the Presbytry of *Lanerk*, and annexing it to the Presbytry of *Biggar*. *Ibid.*

Reference

Reference anent planting *Stirline*, with power to Cognosce in case of a *Reference* from a Synod, *Reference* or Appeal from a *Presbytry*. *Ibid.*

The *List* of *Probationers* being drawn up, was read in open Assembly, by Mr. *John Sandilands*, and the same with the List of Students of Divinity, ordered to be given in to the Clerk to be recorded. *Ibid.*

Recommendation to these concerned in the late King *Williams* Gift of the *Rents* of the Bishopricks, Cropt 1690, to meet thereanent. *Ibid.*

Recommendation to these deficient in bringing in their Collections for *John Thomson* Prisoner in *Algiers*, Mr. *John McCulloch*, Mr. *Hugh McHenry*, The Bridge of *Dee* in *Galloway*, Harbour of *Eymouth*, and the Children of the Deceast Mr. *Walter Ross*, to remember to send in the same to the Collectors thereof *quam primum*, according to former *Recommendations* thereanent. *Ibid.*

Reference to the Commission anent application to the Council, concerning some Disorders committed by some in *Dingwal*. *Ibid.*

Appointment of a *Meeting* of the Committee for the Libraries, designed for the *Highlands &c.* *Ibid.*

Protestation for not insisting, the Synod of *Drumfrees* against Sir *Robert Grierson* of *Lagg*, declaring his *Appeal* to this Assembly fallen from. *Ibid.*

A Committee named and appointed for revising the Minuts of this Assembly, and giving Orders anent the printing the Acts thereof. *Ibid.*

The Moderators Speech at the closing of the General Assembly, to the *Members*, and to His Grace the *Queens* Commissioner. *Ibid*

His Grace Her Majesties Commissioner his Speech to the General Assembly, after they had gone through all their Work. *Ibid.*

The Closing of this Assembly. *Ibid.*

FINIS.